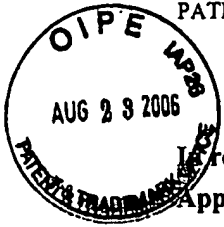


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re application of: Court et al.

Application No. 10/692,553

Filed: October 23, 2003

Confirmation No. 1179

For: ENHANCED HOMOLOGOUS
RECOMBINATION MEDIATED BY
LAMBDA RECOMBINATION PROTEINS

Examiner: Jennifer Ann Dunston

Art Unit: 1636

Attorney Reference No. 4239-66898-01

CERTIFICATE OF MAILING

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ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent
for Applicant(s)

Date Mailed

[Signature]
August 21, 2006

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ALEXANDRIA, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.131

Considered
2/7/2007
JD

We, Neal Copeland, Daiguan Yu, Hilary M. Ellis, Donald E. Court, E-Chiang

Lee, Nancy A. Jenkins, and Pentao Liu, declare as follows:

1. We are the inventors of the above-identified application, which is a continuation of U.S. Patent Application No. 10/366,044, filed February 12, 2003, which is a continuation-in-part of PCT Application No. PCT US01/25507, filed August 14, 2001, which claims the benefit of U.S. Provisional Application No. 60/225,164, filed August 14, 2000 and claims the benefit of U.S. Provisional Application No. 60/271,632, filed February 21, 2001.

2. It is our understanding that the claims 1, 3, 4 and 13 are rejected as allegedly being anticipated by Cassanova et al., Genesis 32(2): 158-160, published online February 13, 2002.

3. We conceived of, and reduced to practice, a method for generating a vector for conditional knockout of a gene in a cell including a de-repressible promoter operably linked to a

SAS:mas 08/17/06 555051.doc E-177-2000/2-US-02
PATENT OFFICE

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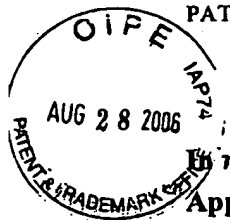
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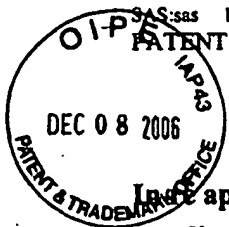
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